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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/608,208	06/30/2000	Robert L. Alcorn	700-218RP	9291

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EXAMINER

NGUYEN, THANH T

ART UNIT	PAPER NUMBER
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2144

DATE MAILED: 07/08/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/608,208

Applicant(s)

ALCORN ET AL.

Examiner

Tammy T Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE (3) MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 June 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Detailed Office Action

request for reconsideration, 4/9/04, PAPER #12
application 09/608208 filed June 30, 2000

1. This action is in response to the application 09/608208 filed June 30, 2000.
2. Claims 1-46 have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

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4. Claims 1-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Cook et al. (USPN 6,201,948 – Date of Patent: March 13, 2001, herein referred to as “Cook”).

5. As to claim 1, Cook teaches the invention as claimed, including a method of a system for providing to a community of users access to a plurality of online courses comprising:

a) a plurality of user computers, each user computer associated with a user of the system having predefined characteristics indicative of a predetermined role in the system, each role providing a level of access to a plurality of data files associated with a course and a level of control over data files associated with a course (col.58, lines 35-65, shows level associated with other course), and

b) a server computer in communication with each of the user computers over a network, the server computer comprising:

means for storing a plurality of data files associated with a course (col.3, line 60 to col.4, line 3);

means for assigning a level of access to each file, the level of access associated with the ability of a user to access the file (Fig.10A, level of file and col.58, lines 35-45);

means for determining an access level of a user requesting access to a file (FIG.2A, and col.17, lines 30-55);

means for allowing access to a file associated with a course as a function of the access level of the user (col.17, line 60 to col.18, line 20, just teacher and staff can access).

6. As to claim 2, Cook teaches the invention as claimed, wherein the user roles

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comprise a student role associated with a student user, an instructor role associated with an instructor user, an administrator role associated with an administrator user (col.3, lines 40-45, col.28, lines 5-10, and col.44, lines 35-65).

7. As to claim 3, Cook teaches the invention as claimed, wherein the instructor user is provided with an access level to enable the creation and editing of a plurality of files associated with a course (col.1, lines 60-65).

8. As to claim 4, Cook teaches the invention as claimed, wherein the course files comprise an announcement file (col.25, lines 23-32).

9. As to claim 5, Cook teaches the invention as claimed, wherein the course files comprise a course information file (col.25, lines 25-30).

10. As to claim 6, Cook teaches the invention as claimed, wherein the course files comprise a staff information file (col.29, lines 6-17).

11. As to claim 7, Cook teaches the invention as claimed, wherein the course files comprise a course documents file (col.11, lines 45-50).

12. As to claim 8, Cook teaches the invention as claimed, wherein the course files comprise an assignments file (col.47, lines 5-12).

13. As to claim 9, Cook teaches the invention as claimed, wherein the course files comprise a dropbox file (col.6, lines 50-60).

14. As to claim 10, Cook teaches the invention as claimed, wherein the course files comprise an asynchronous communication file (col.4, lines 50-56).

15. As to claim 11, Cook teaches the invention as claimed, wherein the course files comprise a synchronous communication file (col.4, lines 50-56).

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16. As to claim 12, Cook teaches the invention as claimed, wherein the student user is provided with an access level to enable reading of a plurality of files associated with a course (col.59, lines 50-60).

17. As to claim 13, Cook teaches the invention as claimed, wherein the student user is provided with an access level to enable modification of a subset of the plurality of files associated with a course (col.59, lines 65-67).

18. As to claim 14, Cook teaches the invention as claimed, wherein the student user is provided with an access level to enable creation of a student file associated with a file for which the student user is able to read (Fig.2A, user reading).

19. As to claim 15, Cook teaches the invention as claimed, wherein which the file that the student is able to read is an assessment file created by the instructor user, and the student file created by the student user is a response to the assessment file (col.30, lines 1-5).

20. As to claim 16, Cook teaches the invention as claimed, wherein the assessment file is comprises a plurality of examination questions selected by the instructor user to assess the ability of the student user (col.15, lines 50-60).

21. As to claim 17, Cook teaches the invention as claimed, wherein the examination questions are selected by the instructor user from a predetermined pool of available examination questions (col.15, lines 50-60).

22. As to claim 18, Cook teaches the invention as claimed, wherein the examination questions are created by the instructor user substantially at the time of the creation of the assessment file (col.16, lines 50-60).

23. As to claim 19, Cook teaches the invention as claimed, wherein the student file is

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reviewed by the instructor user and assigned a grade (col.46, lines 57-62).

24. As to claim 20, Cook teaches the invention as claimed, wherein the grade is made available to the student user (col.46, lines 50-67).

25. As to claim 21, Cook teaches the invention as claimed, wherein the instructor user collates a plurality of grades obtained from reviewing a plurality of student files, and wherein the collated grades are made available to all student users associated with the course (col.59, lines 65-67).

26. As to claim 22, Cook teaches the invention as claimed, in which the file that the student is able to read is an assignment file created by the instructor user, and the student file created by the student user is a response to the assignment file (col.47, lines 5-12).

27. As to claim 23, Cook teaches the invention as claimed, wherein the dropbox file comprises a plurality of files transferred to the server computer from one or more student users associated with the course (col.59, lines 65-67).

28. As to claim 24, Cook teaches the invention as claimed, wherein the instructor user is provided with access to the files in the dropbox file, whereby the instructor user may download, edit and upload the files in the dropbox (col.16, lines 50-60).

29. As to claim 25, Cook teaches the invention as claimed, wherein a user is required to enter a login sequence into a user computer in order to be provided with access to course files associated with that user (col.59, lines 65-67).

30. As to claim 26, Cook teaches the invention as claimed, wherein the user is provided with access to all courses with which the user is associated after entry of the login sequence (col.34, lines 48-55).

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31. As to claim 27, Cook teaches the invention as claimed, wherein the user is provided with a web page comprising a plurality of course hyperlinks, each of said course hyperlinks associated with each course that the user has enrolled in (col.47, lines 12-17).

32. As to claim 28, Cook teaches the invention as claimed, wherein selection of a course hyperlink will provide the user with a web page associated with the selected course, the web page comprising a plurality of content hyperlinks to various content areas associated with the course (col.59, lines 65-67).

33. As to claim 29, Cook teaches the invention as claimed, wherein said content hyperlinks comprise an announcement area hyperlink, a course information hyperlink, a staff information hyperlink, a course documents hyperlink, an assignments hyperlink, a communications hyperlink, and a student tools hyperlink (col.6, lines 46-1).

34. As to claim 30, Cook teaches the invention as claimed, wherein selection of the announcement area hyperlink provides a web page comprising a group of course announcements (col.25, lines 25-32).

35. As to claim 31, Cook teaches the invention as claimed, wherein selection of the course information hyperlink provides a web page comprising information regarding the associated course (Col.59, lines 65-67).

36. As to claim 32, Cook teaches the invention as claimed, wherein selection of the staff information hyperlink provides a web page comprising data regarding the instructors of the associated course (Fig.4).

37. As to claim 33, Cook teaches the invention as claimed, wherein selection of the

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course documents hyperlink provides a web page comprising a listing of documents associated with the course (Fig.3).

38. As to claim 34, Cook teaches the invention as claimed, wherein the listing of course documents comprise active hyperlinks to the documents (col.24, lines 51-62).

39. As to claim 35, Cook teaches the invention as claimed, wherein selection of the assignments hyperlink provides a web page comprising a group of course assignments (col.6, lines 45-51).

40. As to claim 36, Cook teaches the invention as claimed, wherein selection of the communications hyperlink provides a web page comprising hyperlinks to a group of communication tools comprising an asynchronous communication tool and a synchronous communication tool (Fig.1 communications, and col.6, lines 45-51).

41. As to claim 37, Cook teaches the invention as claimed, including a system for providing to a community of users access to a plurality of online courses, comprising a server computer in communication with each of a plurality of user computers over a network, the server computer comprising means for creating a plurality of course user accounts from a file of existing user accounts associated with an external computer (Fig.2A, plurality users).

42. As to claim 38, cook teaches the invention as claimed, including a method for providing online education comprising;

- a. establishing a course to be offered online, comprising the steps of:
 - i. an instructor user generating a set of course files for use with teaching the course (Fig.4, col.6, lines 60-67);

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ii. Transferring the course files to a server computer for storage thereat (Fig.3, transfer lesson to server); and

iii. Making access to the course files available to a predefined community of student users having access to the server computer over a network (Fig.4, and Fig.11, student study online);

b. offering the course to be taken online to a group of student users (Fig.11); and

c. providing access over the network to the course files to a student user who has enrolled in the course (col.47, lines 12-20).

43. As to claim 39, Cook teaches the invention as claimed, wherein at least one of the course files comprises a course assignment, further comprising the steps of:

d) the student user creating a student file in response to the course assignment (col.47, lines 5-12); and

e) the student user transferring the student file to the server computer (col.25, lines 40-50).

44. As to claim 40, Cook teaches the invention as claimed, further comprising the steps of

f) the instructor user accessing the student file from the server computer (col.17, lines 35-40);

g) the instructor user reviewing the student file to determine compliance with the course assignment (col.47, lines 5-12); and

h) the instructor user assigning a grade to the student file as a function of the determination of compliance with the course assignment (col.47, lines 5-12).

45. As to claim 41, Cook teaches the invention as claimed, further comprising the

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step of the instructor user posting the grade to a file on the server computer accessible only to the student user with which the grade is associated (col.46, lines 55-65).

46. As to claim 42, Cook teaches the invention as claimed, further comprising the steps of the instructor repeating the steps (f), (g) and (h) for a plurality of student users that are enrolled in the course (col.47, lines 12-20).

47. As to claim 43, Cook teaches the invention as claimed, further comprising the step of the instructor user performing a statistical analysis on the grades assigned to the plurality of student users (Fig.2A plurality of users).

48. As to claim 44, Cook teaches the invention as claimed, further comprising the step of making results of the statistical analysis available to the student users enrolled in the course (col.47, lines 12-20).

49. As to claim 45, Cook teaches the invention as claimed, further comprising the step of providing an asynchronous communication tool accessible to student users enrolled in the course for enabling asynchronous communication among the student users (col.46, lines 55-65).

50. As to claim 46, Cook teaches the invention as claimed, further comprising the step of providing a synchronous communication tool accessible to student users enrolled in the course for enabling synchronous communication amongst the student users (col.47, lines 12-20).

Response to Arguments

51. Applicant's arguments with respect to claims 1-46 have been considered but are moot in view of the new ground(s) of rejection.

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Conclusion

52. Any inquiries concerning this communication or earlier communications from the examiner should be directed to **Tammy T. Nguyen** who may be reached via telephone at **(703) 305-7982**. The examiner can normally be reached Monday through Friday between 8:00 a.m. and 5:30 p.m. eastern standard time.

If you need to send the Examiner, a facsimile transmission regarding this instant application, please send it to **(703) 872-9306**. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's Supervisor, Bill Cuchlinski, may be reached at **(703) 308-3873**.

TTN

June 24, 2004

MARC D. THOMPSON
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